

## **REMARKS**

With this paper, Applicant hereby acknowledges receipt of the Office Action dated December 1, 2005. Applicant requests reconsideration of the above-identified application in view of the foregoing amendments and the following remarks.

Claims 1-7 and 9-16 are currently pending in the application. The Examiner has objected to claims 1 and 9 for various informalities. In addition, the Examiner has rejected claims 1 and 8 under 35 U.S.C. § 112, second paragraph, and claims 1-7 and 9 under 35 U.S.C. § 102(b). Applicant adds claims 10-18 with this paper.

### **I. Objections to Claims**

Applicant has amended claims 1, 5 and 9 in the manner suggested by the Examiner in paragraphs 1 and 2 of the Office Action. Specifically, Applicant has corrected the antecedent basis of the undercarriage in claims 1 and 9 and replaced the word "its" with the phrase "said core's" in claim 5. In addition, Applicant replaced the word "its" with "said core's" in claim 9, in order to ensure correct antecedent basis in the claim. Applicant has also cancelled claim 8. With these amendments, Applicant believes all informalities with the claims have been corrected and requests that the previous objections to the claims be withdrawn.

### **II. Claim Rejections - 35 U.S.C. § 112, second paragraph**

The Examiner rejected claims 1 and 8 as being indefinite. Applicant has amended claim 1 in order to clarify the positioning of the leaf spring in the invention. Claim 1 now clearly sets forth that the leaf spring is connected to the axle, but does not require that the axle be connected to the end of the leaf spring. Applicant believes this overcomes the rejections under 35 U.S.C. § 112.

As explained above, Applicant has cancelled claim 8. Accordingly, the rejection to this claim under 35 U.S.C. § 112 is moot.

### **III. Rejection of Claims Under 35 U.S.C. § 102(b)**

The Examiner rejected claims 1-9 under 35 U.S.C. § 102(b) as being anticipated by Hendrickson (JP 09188117A). Applicant has cancelled claim 8. Accordingly, Applicant will only address the rejection of claims 1 through 7 and 9.

#### **Claims 1-7**

With this response, Applicant has amended claim 1 in order to better clarify the invention. Claim 1 now requires that the claimed suspension assembly include a single bolster spring. Hendrickson discloses a suspension assembly comprising two bolster springs. Accordingly, Hendrickson fails to anticipate claim 1, as amended.

Applicant further asserts that claim 1, as amended, is not obvious in view of the Hendrickson reference. The inclusion of two bolster springs, as shown in the Henderson reference, allows only for the vertical movement of the axle when the vehicle jounces, with no longitudinal movement of the axle. Figure 4 of the Hendrickson reference indicates the vertical movement of the axle with an arrow. This vertical movement of the axle must necessarily occur without longitudinal movement due to the inclusion of the two bolster springs and the positioning of the two springs, with one spring located forward of the axle and the second spring located rearward of the axle.

The inclusion of a single bolster spring in the invention of the Applicant allows for the movement of the axle in a rearward direction as the leaf spring is compressed and the vehicle jounces. The longitudinal movement of the axle allows for a different compression of the leaf spring than that which is achieved in the Hendrickson reference.

Applicants combination works in both shear and in compression, and it is preferable that the leaf spring be able to elongate. In the Hendrickson reference, as the dual bolsters flank the axle, the push-pull effect of the bolsters interfere with the smooth elongation of the leaf spring.

For the above reasons, Applicant asserts that claim 1 is allowable over the cited prior art. Furthermore, since claims 2-7 all ultimately depend from claim 1, Applicant believes that these claims are also allowable over the cited prior art.

#### **Claim 9**

With this response, Applicant has amended claim 9 in order to better clarify the invention. Claim 9 now requires that a single bolster spring be mounted directly to the leaf suspension of the vehicle. The Hendrickson reference includes two bolster springs, as explained above. Accordingly, Applicant asserts that the Hendrickson reference does not anticipate claim 9, as amended. Thus, Applicant believes claim 9 is allowable over the cited prior art.

#### **IV. New Claims**

Applicant has added new claims 10-18 claiming a suspension system with a single bolster spring. The suspension system disclosed in Hendrickson does not anticipate nor render obvious the suspension system recited in the newly added claims. Accordingly, Applicant asserts that the newly added claims are allowable over the cited prior art.

#### **III. Conclusion**

An earnest attempt has been made to fully respond to the Office Action of December 1, 2005. In light of the foregoing amendments and remarks, Applicant believes that all pending claims are now in condition for allowance. Thus, Applicant requests entry of the above amendments, and passage to issuance is respectfully solicited. If necessary to effect a timely response, please consider this paper a request for an extension of time, and charge any shortages

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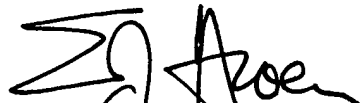
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in fees, or apply any overpayment credits, to Baker & Daniels LLP's Deposit Account No. 02-0390 (977463.2). However, please do not include the payment of issue fees.

In addition, if the Examiner disagrees that the pending application is in condition for allowance, Applicant invites the Examiner to contact the undersigned in order to discuss any outstanding issues and move the pending application forward to issuance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric J. Groen", is written over a horizontal line.

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